



TENNESSEE DEPARTMENT OF AGRICULTURE
Water Resources Program

February 24, 2012

Ms. Erin O'Brien
TDEC
L&C Annex, 6th Floor
Nashville, Tennessee 37243

Dear Ms. O'Brien:

I am writing to inform you that the Tennessee Department of Agriculture (TDA) has reviewed the application and Nutrient Management Plan (NMP) for CAFO permit for Dawn and Derek Cookston, Cookston Farms, in Whitwell, TN. They are in the process of purchasing Donald Hudson's place and poultry farm (Previous NPDES Permit NO. TNA000062).

This letter is to confirm that the TDA has reviewed and approved the NMP. I have enclosed a copy of the Nutrient Management Plan Requirements form and the signed and dated Notice of Intent (NOI) form, Addendum to Nutrient Management Plan, Closure Plan, NMP, the Sale Contract submitted on behalf of Mr. Hudson and the Cookston's by David Tallent and the stamped Approval Stamp form for your review and final approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela L. Warden".

Angela L. Warden
CAFO Specialist

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FEB 28 2012

TN Division of Water
Pollution Control

: //enclosures

ec:// Mr. Dewitt Simerly, USDA/ NRCS, District Conservationist, Marion Co. TN
Mr. Rocky Anderson, FSA, TN
Mr. David Tallent, AG Credit, Chattanooga, TN



TENNESSEE DEPARTMENT OF AGRICULTURE

Water Resources Program

The following individual has submitted all required elements of an NMP/CNMP as required to obtain a CAFO permit. Their Nutrient Management Plan (or CNMP) has been reviewed and approved by this office.

Name of Owner/Operator: Dawn and Derek Cookston

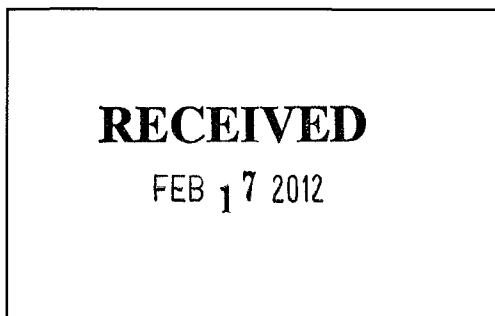
Operation Name: Cookston Farms

Address of Operation: 4391 Alvin York Hwy, Whitwell, TN 37397

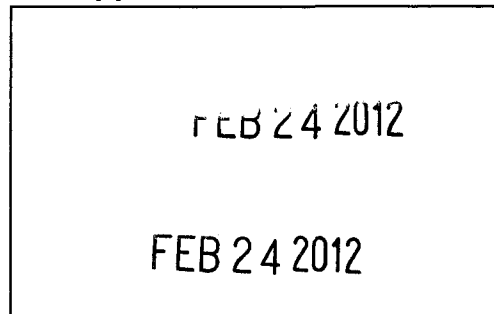
Phone Number: (423) 290-8579
(423) 827-5584

County: Marion

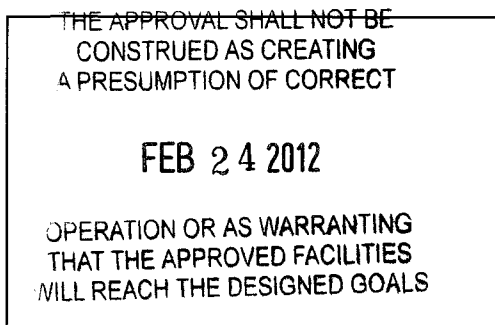
Date application was initiated:



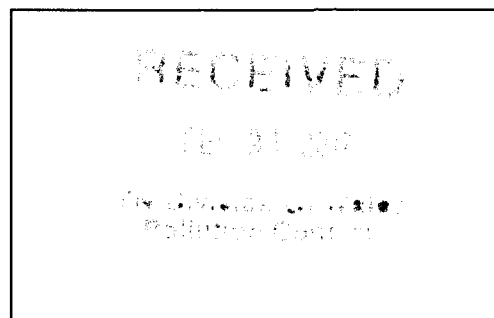
Date approval forwarded to TDEC:



NMP/CNMP Approval Date:



Date approval received by TDEC



TDA Reviewer's Name: Angela Warden

TDA Reviewer's Signature: Angela Warden 2/24/12
Date

Dawn and Derek Cookston

Marion 10.7

Cookston Farms

Nutrient Management Plan Requirements

The following 9 items need to be submitted at the time the permit is applied for. Additional record-keeping items as outlined in the CAFO rules are also considered part of the nutrient management plan and must be kept on-site. More information on each item can be found in the CAFO rule (1200-4-5-.14).

- ☒ 1. **Two maps:** (1.) A map of your farm showing location of any animal barns/houses, compost bins, litter storage bins, manure lagoons/holding ponds, nearby roads, fields to which litter/manure will be applied, and non-application buffer areas around any bodies of water (streams, creeks, rivers, ponds, wells, sinkholes, springs, wetlands, etc.). A hand-drawn map is acceptable and even preferred. (2.) A topographic map of the farm (1:24000 scale, showing 1-mile radius from farm) showing property lines.
- ☒ 2. **Nutrient budget** – this is basically a balance sheet of all manure produced on the farm and all manure spread on the farm or removed from the farm. Application rates for all fields should be based on crop needs, realistic crop yield expectations, and actual manure analyses of nutrient content.
- ☒ 3. **Soil test results** for phosphorus and potassium for each application field. These must be taken at a minimum of every five years.
- ☒ 4. Results of **manure analysis** from within the past year. Annual manure testing is a requirement for all CAFOs. These results must be included with initial permit application if the farm is in operation. If the farm that is applying for the permit is new and not yet operating, then manure testing results need to be obtained once operation begins. At that point, the manure test results and revised application rates need to be submitted to TDA. Manure test results in subsequent years need to be kept as part of your record-keeping activities.
- ☒ 5. Results of the **Phosphorus Index** applied to each field that has a soil test P value of "High" or "Very High". In those situations, this tool will determine whether your application rates will be based on nitrogen or phosphorus.
- ☒ 6. Statement regarding method of **dead animal disposal**.
- ☒ 7. **Closure Plan** to be implemented in the event animal production ceases on the site.

These last two items are only required for medium-size CAFOs that manage **liquid manure**.

- ☒ 8. Documentation of **design of liquid waste handling system**. This should include, but is not limited to: volume for solids accumulation, design treatment volume, total design volume, the approximate number of days of storage capacity, pumping and routing of wastes, and any solid separation process. Ideally, this documentation would consist of the pertinent engineering drawings with accompanying descriptive narrative.
 - ☒ 9. The construction, modification, repair, or installation of any portion of a CAFO liquid waste handling system (such as earthen holding pond, treatment lagoon, pit, sump or other earthen storage/containment structure) after April 13, 2006 must be preceded by a thorough **subsurface investigation**. This investigation will include a detailed soils investigation with special attention to the water table depth and seepage potential.
-

In addition to the items above, the following form(s) must accompany your application:

- ☒ **Notice of Intent form** must be submitted with all applications from Class II (Medium) CAFOs
- OR**
- ☒ **EPA Forms 1 and 2B** must be submitted with all applications from Class I (Large) CAFOs.
- ☒ **Addendum to Nutrient Management Plan**.



Tennessee Department of Environment and Conservation,
Division of Water Pollution Control
401 Church Street, 6th Floor L & C Annex, Nashville, TN 37243
(615) 532-0625

**CONCENTRATED ANIMAL FEEDING OPERATION (CAFO)
STATE OPERATING PERMIT (SOP)
NOTICE OF INTENT (NOI)**

Type of permit you are requesting: ☐ SOPCD0000 (designed to discharge) ☒ SOPC00000 (no discharge) ☐ Unknown, please advise
Application type: ☒ New Permit ☐ Permit Reissuance ☐ Permit Modification
If this NOI is submitted for Permit Modification or Reissuance provide the existing permit tracking number: _____

OPERATION IDENTIFICATION

Operation Name: <u>Cookston Farms</u>		County: <u>Marion</u>
Operation Location/ Physical Address: <u>4391 Alvin York Hwy. Whitwell TN 37397</u>		Latitude: <u>35deg 14' 26.3"N</u> Longitude: <u>85deg 27' 10.2"W</u>
Name and distance to nearest receiving water(s): <u>Unnamed trib to Sequatchie River 300ft.</u>		
If any other State or Federal Water/Wastewater Permits have been obtained for this site, list those permit numbers:		
Animal Type: <input checked="" type="checkbox"/> Poultry <input type="checkbox"/> Swine <input type="checkbox"/> Dairy <input type="checkbox"/> Beef <input type="checkbox"/> Other _____		
Number of Animals: <u>117,000</u>	Number of Barns: <u>4</u>	Name of Integrator: <u>Koch Foods</u>
Type of Animal Waste Management: (check all that apply) <input checked="" type="checkbox"/> Dry <input type="checkbox"/> Liquid <input type="checkbox"/> Liquid, Closed System (i.e. covered tank, under barn pit, etc.)		
Attach the NMP <input checked="" type="checkbox"/> NMP Attached	Attach the closure plan <input type="checkbox"/> Closure Plan Attached	Attach a topographic map <input type="checkbox"/> Map Attached

PERMITTEE IDENTIFICATION

Official Contact (applicant): <u>Dawn Cookston</u>		Title or Position: <u>Owner</u>		<input type="checkbox"/> Correspondence <input type="checkbox"/> Invoice
Mailing Address: <u>PO Box 325</u>		City: <u>Whitwell</u>	State: <u>TN</u> Zip: <u>37397</u>	
Phone number(s): <u>(423) 290-8579</u>		E-mail:		
Optional Contact: <u>Derek Cookston</u>		Title or Position:		<input type="checkbox"/> Correspondence <input type="checkbox"/> Invoice
Address: <u>PO Box 325</u>		City: <u>Whitwell</u>	State: <u>TN</u> Zip: <u>37397</u>	
Phone number(s): <u>(423) 827-5584</u>		E-mail:		

APPLICATION CERTIFICATION AND SIGNATURE (must be signed in accordance with the requirements of Rule 1200-4-5-.05)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name and title, print or type <u>Dawn Cookston</u>	Signature <u>Dawn Cookston</u>	Date <u>2/23/12</u>
-------------------------------------------------------	-----------------------------------	------------------------

STATE USE ONLY

Received Date	Reviewer	EFO	T & E Aquatic Fauna	Tracking No.
	Impaired Receiving Stream	High Quality Water		NOC Date

Addendum to Nutrient Management Plan:

By my signature below, I affirm that I have read, understand, and will comply with the following stipulations from Tennessee's CAFO rule (1200-4-5-.14) that apply to my CAFO operation.

- 1) All clean water (including rainfall) is diverted, as appropriate, from the production area.
- 2) All animals in confinement are prevented from coming in direct contact with waters of the state.
- 3) All chemicals and other contaminants handled on-site are not disposed of in any manure, litter, process wastewater, or storm water storage or treatment system unless specifically designed to treat such chemicals and other contaminants.
- 4) All sampling of soil and manure/litter is conducted according to protocols developed by UT Extension.
- 5) All records outlined in 1200-4-5-.14(16)d-f will be maintained and available on-site.
- 6) Any confinement buildings, waste/wastewater handling or treatment systems, lagoons, holding ponds, and any other agricultural waste containment/treatment structures constructed after April 13, 2006 are or will be located in accordance with NRCS Conservation Practice Standard 313.
- 7) Drystacks of manure or stockpiles of litter are always kept covered under roof or tarps.
- 8) An *Annual Report* will be written for my operation and submitted between January 1 and February 15 of each year. It will include all information required by rule [1200-4-5-.14(16)g].


Signature of CAFO Operator:

2/23/12
Date:

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2/23/12

2/23/12

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Nutrient Management Plan - Poultry

For Use by Farms

Exporting 100% of Litter Generated

1. Farmer/ Producer Information

Is ALL Litter Hauled Offsite*

*If the answer is "No," do not complete this form.

Yes

No

Please circle one

First Name:

Dawn

Last Name:

Cookston

Farm/ Operation Name:

Cookston Farms

Tennessee County:

marion

2. Volumes and Calculations

Poultry Type:

Broiler

Pullet

Layer

circle the type(s)

Key

A

Number of birds per house
per grow-out:

29,250

B

Number of Houses:

4

C

Number of Grow-Outs / Year:

6

D

Average Weight of Litter
Produced (lbs.) / Bird / Grow-
Out (see Table at right or use
your farm average if known)

2.1

The amount of litter removed from a poultry house will vary depending on the litter moisture content, type and size of birds, and length of time birds are kept in house. Below is a Table summarized from the NRCS Poultry System Calculator V10.0 to assist in placing the litter amount produced per bird and assist in litter calculations.

Type of Bird	Market/ Mature Weight (lbs)	Avg. Weight of Litter Produced (lbs)/ Bird / Grow-Out
	small (3.8 - 5.8)	2.1
Broilers	large (5.9 - 7+)	2.4
Layer	8 - 12	8
Pullet	5.5	3

Take **Bolded** Letters in Key Column Above and Below to Assist in Calculating Values Below

Number of Birds per Grow-Out = A x B =

117,000

Number of Birds Example: If A = 22,000 and B = 2 and C = 5.5 then:

22,000 x 2 = 44,000 number of birds

KEY

E

Number of Birds per Year = A x B x C =

702,000

Number of Birds per Year Example: If A = 22,000 and B = 2 and C = 5.5 then:

22,000 x 2 x 5.5 = 242,000 number of birds per year

Total Tons of Litter Produced per Year on the Farm = E x D / 2,000 =

702,000

Tons of Litter Produced Example: If E = 242,000 and D = 2.1 lbs. then:

242,000 x 2.1 lbs = 508,200 lbs. / 2,000 = 254 Tons

Tons of Litter Exported from Farm / Year

254.10

Nutrient Management Plan - Poultry

For Use by Farms

Exporting 100% of Litter Generated

3. Litter Handling and Storage

Litter Contents from Manure Analysis (as is basis)

Laboratory Name	House	Date of Analysis	Total N	P ₂ O ₅ ^a	K ₂ O ^b	Units
University of Arkansas	litter storage	7-1-2011	73.4	89.8	863	lbs./Ton
						lbs./Ton
						lbs./Ton

I will get an annual manure analysis and provide the results to all parties which are given or purchase litter from my farm or operation.

Dawn Cookston 2/23/12
Signature / Date Signed

Mortality Management

Dead birds will be disposed of according to State and local laws in a way that does not adversely affect groundwater or create public health concern. All mortalities will be disposed of using:

<input checked="" type="radio"/> Composting	<input type="radio"/> Incineration	<input type="radio"/> Other:
please circle one		

de
Initials

Closure Plan

In the event that poultry production at this location ceases, the following will be done within 360 days:

- Any litter/ compost currently in storage at the time of closure will be removed and spread elsewhere according to my current NMP.
- All litter in houses will be removed and spread elsewhere according to my current NMP.
- The most current manure analysis performed by an accredited laboratory will be provided to anyone removing litter on my farm.
- Any dead birds in the houses at the time of closure will be disposed of according to my NMP.

Dawn Cookston 2/23/12
Signature that I have read and agree to this Closure Plan / Date signed

Notes:

N = Nitrogen

P₂O₅ = Phosphorus Oxide

K₂O = Potassium Oxide

^aIf Phosphorus is expressed in analyses as Phosphorus (P), simply multiple P lbs. X 2.3 to convert to P₂O₅.

^bIf Potassium is expressed in analyses as Potassium (K), simply multiple K lbs. X 1.2 to convert to K₂O.

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FEB 24 2012 2/14

**AGRICULTURAL DIAGNOSTIC LABORATORY
UNIVERSITY OF ARKANSAS - FAYETTEVILLE**

*****MANURE FOR FERTILIZER ANALYSIS (report for AGRI-426)**

Name:	DONALD K. HUDSON	Received in lab:	6/24/2011
Address:	4391 ALVIN YORK HWY	Mailed:	7/01/2011
City:	WHITWELL	State, Zip:	TN 37397
Country:	MARION (TN)	CK#:	MONEY ORDER

Lab. No.	M10965					
Sample No.	NONE GIVEN					
Animal type	broilers					
Age/lbs	39 - 4 25					
Bedding type	shavings/sawdust					
Manure type	cake					
Sample date	8/22/2011					
Age of manure	50 days					
pH	8.4					
EC(umhos/cm)	16810					
% H2O	27.49					

-on dry basis-

Total %N	5.06					
Total %P	2.70					
Total %K	3.78					
Total %Ca	4.85					
Total %Carbon	32.30					
NO3-N, mg/kg						
NH4-N, mg/kg						

-on as-is basis-

Total %N	3.67					
Total %P	1.96					
Total %K	2.74					
Total %Ca	3.52					
Total %Carbon	23.42					
NO3-N, mg/kg						
NH4-N, mg/kg						

-lbs/ton on as-is basis-

N	73.4					
P2O5	89.8					
K2O	86.3					
Ca	70.4					
Total Carbon	468.4					
NO3-N						
NH4-N						

***all analyses performed on "as-is" basis/ "dry" basis is calculated from moisture content

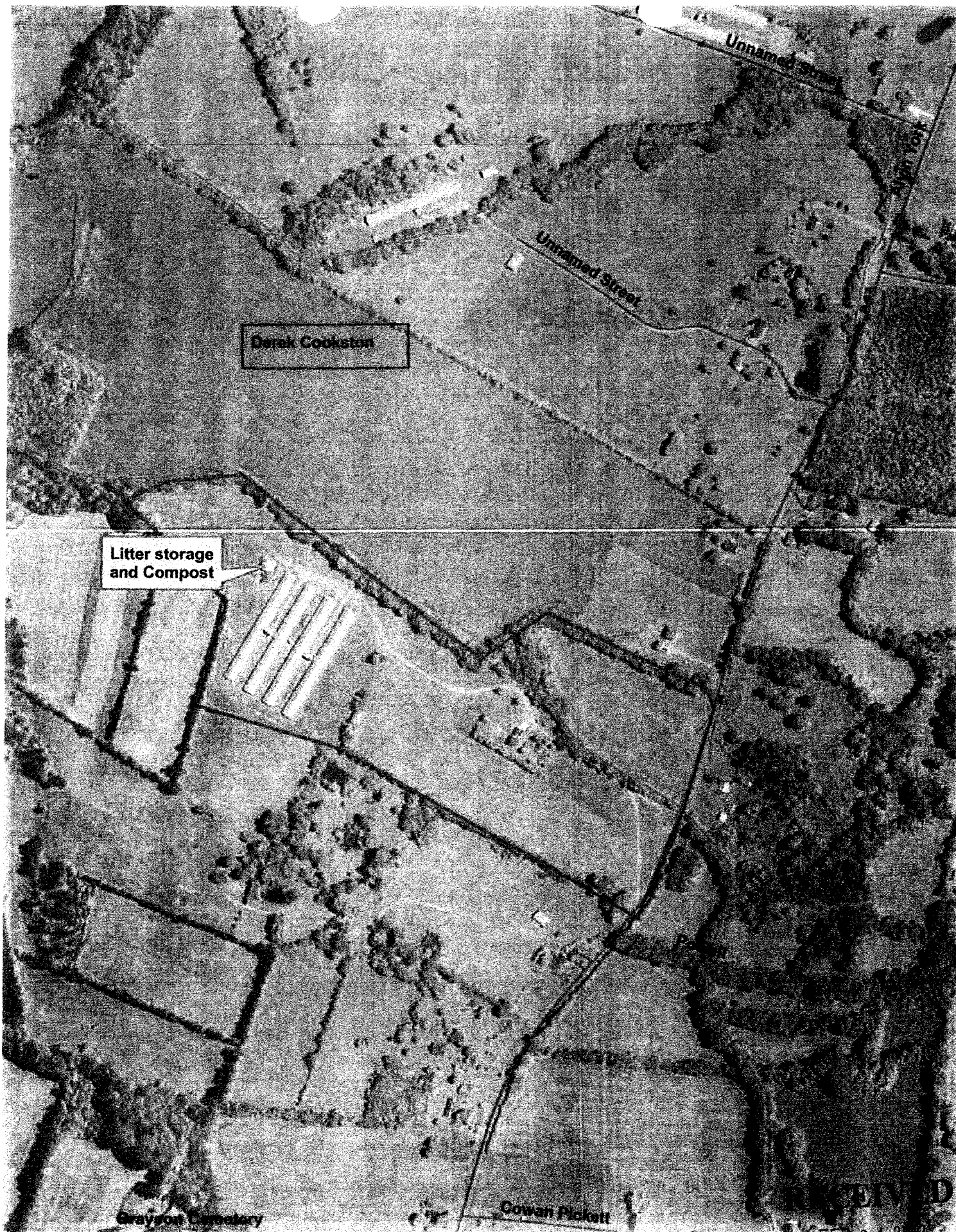
*lbs/ton P2O5 = %Total P on "as-is" basis multiplied by 20*2.29

*lbs/ton K2O = %Total K on "as-is" basis multiplied by 20*1.2

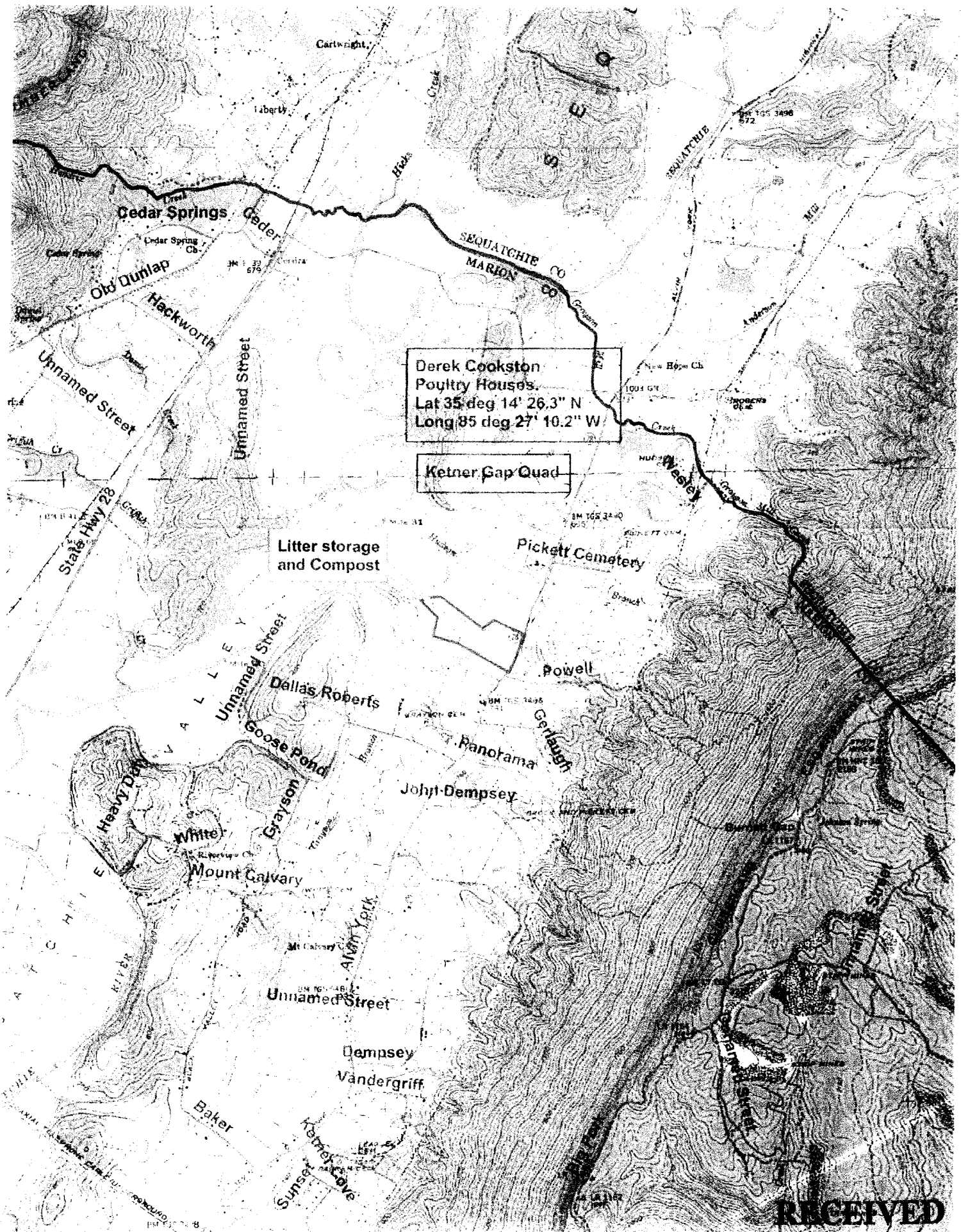
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P. 1



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FEB 9 4 2002



Derek Cookston
Poultry Houses
Lat 35 deg 14' 26.3" N
Long 85 deg 27' 10.2" W

Ketner Gap Quad

Litter storage
and Compost

Pickett Cemetery

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SALE CONTRACT

DATE: 11-22-11I (or we) Shirley Cookston Dawn Cookston have this day bought fromDonald K Hudson, real estate in Marion

County, Tennessee.

The subject property is described as follows;

See ATTACHED SHeaT

The terms of the sale are as follows;

Purchase price = \$ 850,000Paid down = \$ 0Balance due = \$ 850,000**Sellers**Donald K Hudson

Sellers signature

Doreen L. Hudson

Sellers signature

BuyersShirley Cookston

Buyers signature

Dawn Cookston

Buyers signature

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- 2 - 42 X 500 Con Troller op Houses } on 14 Acres
- 2 - 40 X 500 Tunnel Houses
- 1 - 271 Massey Ferguson Tractor w Loader
- 1 - DBT Lewis Brother house Cleaner
- 1 - 6'6" Box Blade
- 1 - Scrap Blade
- 1 - 100 Kw Generator w Enclosed Bldg + 300. Gal Fuel Tank
- 1 - Residence w 26 Acres + 1000 FT Rd Frontage

RECEIVED

FEB 23 2012